

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

Case No. 2:20-cr-105-SPC-MRM

ELAINE M. LEVIDOW

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**ORDER OF FORFEITURE**

Before the Court, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure, is the United States' Motion for Order of Forfeiture in the amount of \$90,000.00. ([Doc. 51](#)). For the reasons stated herein, the motion is granted.

On April 29, 2021, Levidow appeared before United States Magistrate Judge Mac R. McCoy and entered a plea of guilty to Counts Two, Three, Five, Eight, and Nine of the Indictment, for wire fraud conspiracy, in violation of 18 U.S.C. § 1343. ([Doc. 47](#)). The following day, the undersigned United States District Court Judge accepted Levidow's guilty plea and adjudicated her guilty of the offenses. ([Doc. 49](#)).

The Defendant entered into a plea agreement on April 12, 2021 wherein she (Levidow) admits to knowingly using false information to apply for and

illegally obtain Department of Education Federal Student Assistance (FSA) funds. Levidow admits that as a result of her scheme, she personally received in excess of \$90,000.00 of FSA funds and agrees she is liable for an order of forfeiture in the amount of \$90,000.00 and that the order shall become final at the time it is entered. ([Doc. 40](#)).

The Court finds that the United States has established Levidow obtained \$90,000.00 in proceeds in the commission of her offenses.

The proceeds of the offenses were transferred to third parties, and the United States cannot locate the proceeds upon the exercise of due diligence. Accordingly, under 21 U.S.C. § 853(p), the United States may seek, as a substitute asset in satisfaction of this judgment, forfeiture of any of the Defendant's property up to the \$90,000.00 order of forfeiture. The United States may also conduct discovery (including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas), pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, to help identify, locate, and forfeit substitute assets.

The Court retains jurisdiction to enter any order necessary to the forfeiture and disposition of any substitute asset.

Accordingly, it is now

**ORDERED:**

The United States' Motion for Order of Forfeiture ([Doc. 51](#)) is  
**GRANTED.**

**DONE** and **ORDERED** in Fort Myers, Florida, on May 12, 2021.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies to:  
All Parties/Counsel of Record